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UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH  
NORTHERN DIVISION

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BRIAN CARTER,

Plaintiff,

v.

WEBER COUNTY STRIKE FORCE;  
OFFICER LUNT; and OGDEN POLICE  
DEPARTMENT,

Defendants.

**ORDER REQUIRING PLAINTIFF TO  
SUBMIT SUMMONS FORMS AND  
PROOF OF SERVICE, AND  
LIMITING OTHER FILINGS**

Case No. 1:23-cv-00094

Magistrate Judge Daphne A. Oberg

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Plaintiff Brian Carter, proceeding without an attorney, filed this case in the Second District Court in Weber County, Utah, on June 22, 2023.<sup>1</sup> Defendant Weber County Strike Force removed the case from state court to federal court on August 16, 2023.<sup>2</sup> In its notice of removal, Weber County Strike Force acknowledges it has been served.<sup>3</sup> However, no summons forms or proof of service have been filed for either of the other two defendants, Officer Lunt and Ogden Police Department. After the case was removed to federal court, Mr. Carter filed numerous documents which appear to be state court forms and filings from state court cases unrelated to this action.<sup>4</sup>

To proceed with this case, Mr. Carter must submit summons forms and serve the complaint and summonses on both Officer Lunt and Ogden Police Department. In order to

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<sup>1</sup> (See Weber Cnty. Strike Force's Notice of Removal, Doc. No. 2 at 2.)

<sup>2</sup> (See *id.*)

<sup>3</sup> (See *id.*)

<sup>4</sup> (See Doc Nos. 8, 11, 12, 16–19.)

properly manage this case and the court's docket, the court ORDERS as follows:

1. Mr. Carter is ordered to complete and return to the clerk's office a summons form for each unserved defendant (Officer Lunt and Ogden Police Department). The summons form, titled "Civil Summons (AO 440)," is available on the court's website at <https://www.utd.uscourts.gov/usdc-forms>. The completed summons forms must be hand-delivered, mailed, or emailed to the clerk's office by **December 1, 2023**. The email address is [utdecf\\_clerk@utd.uscourts.gov](mailto:utdecf_clerk@utd.uscourts.gov). The court will then issue the summonses.

2. After the summonses are issued by the court, Mr. Carter must serve Officer Lunt and Ogden Police Department with the complaint and summonses. **Mr. Carter must file proof of service for these defendants within thirty days after the court issues the summonses.**

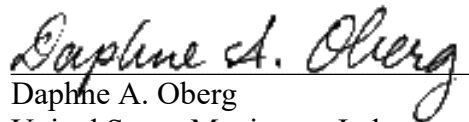
3. Mr. Carter must not file state court forms. If Mr. Carter files such documents, they will be lodged on the docket and will not be addressed by the court.

4. Mr. Carter must not file documents from unrelated state court cases in this case. If Mr. Carter files such documents, they will be lodged on the docket and will not be addressed by the court.

5. If Mr. Carter wishes to use court forms for his filings, he may use the federal forms available on the court's website at <https://www.utd.uscourts.gov/usdc-forms>, which include a motion template. Any motion must clearly state what relief Mr. Carter seeks.

DATED this 16th day of November, 2023.

BY THE COURT:

  
Daphne A. Oberg  
United States Magistrate Judge